

UNITED STATES OF AMERICA )  
 )  
VS. ) NO. H-11-CR-116  
 ) April 25, 2011  
MARIA ROJAS, ET AL )

CONFERENCE  
BEFORE THE HONORABLE LYNN N. HUGHES

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1 THE COURT: What's the deal?

2 MS. HARRISON: I asked for an extension to depose  
3 because I haven't gotten any documents from the government  
4 or the defense, and they all seem to have seen my clients  
16:29 5 before I saw them. So --

6 MR. PEREZ: I'm making copies, Your Honor. I will  
7 give it to them.

8 MS. HARRISON: So, I need two weeks.

9 THE COURT: No, I'm not keeping these people in  
16:29 10 jail. We have got to get on with it. I have yanked some  
11 poor judge down there, who couldn't have been nicer about  
12 the whole thing.

13 (Off the record)

14 MS. HARRISON: Could I have two days?

16:30 15 THE COURT: No, ma'am. Look at this crowd of --  
16 well, I don't want to describe them but -- And you've just  
17 got to help these nice people. They're just witnesses.

18 MS. HARRISON: That's what I am trying to do.

19 THE COURT: Perez is not after them. These guys  
16:30 20 are desperate for something and, so, they want to ask them a  
21 bunch of pointless questions. That's what they do at trial.  
22 So --

23 MS. HARRISON: Well, I don't know why I am  
24 appointed if I'm not supposed to represent them.

16:31 25 THE COURT: If something happens -- When he does

1 something terrible, that's when you step in, but you don't  
2 need to try the case. You just need to make sure they don't  
3 do anything mean and useless and cruel.

4 MS. HARRISON: Well, they're trying to claim that  
16:31 5 they're lying, and I don't even have the documents to prove  
6 that they were or were not.

7 THE COURT: If their idea of a question is probably  
8 "You're lying, aren't you?" --

9 MR. PEREZ: Hey, Judge. I was just getting  
16:31 10 started. Don't shut me down.

11 MS. HARRISON: He hasn't had a chance yet.

12 MR. PEREZ: I never said they were lying, Your  
13 Honor.

14 THE COURT: Look. I don't know what the point is,  
16:31 15 but I will tell you that criminal defense lawyers, in my  
16 limited experience, in allowing you to ask questions not at  
17 trial, tend to decide you're going to do a cross-examination  
18 as if there are twelve innocent people watching you.

19 Just find out what these people know. If they  
16:32 20 know something really important, we need to get it down, but  
21 they need to be let go. So, just ask some factual  
22 questions, please.

23 MS. HARRISON: Thank you, Judge.

24 THE COURT: And, if you ask questions, the same  
16:32 25 applies to you.

1 MS. HARRISON: Sure.

2 MR. ZUNIGA: Would you repeat that again, Judge. I  
3 want to make sure Mr. Perez heard that.

4 THE COURT: If you think a little admonition from  
16:32 5 me is going to make any difference of his thick skin or  
6 head -- I have been trying for a long time.

7 MR. PEREZ: Judge, obviously, I am going to give  
8 the reports. You all have agreed that I have given you-all  
9 all the reports concerning these witnesses, and I will give  
16:32 10 the same to her, Your Honor. But something that hasn't been  
11 brought up -- and we might as well address it now -- is you  
12 wanted their reports. And I don't want another delay; so, I  
13 think that needs to be addressed now.

14 MS. HARRISON: Well, one of the other attorneys  
16:32 15 says I don't have the right to those notes. You know, I  
16 didn't get a chance to visit with them, with the clients,  
17 before they did.

18 THE COURT: Your clients are not on trial. They're  
19 just witnesses.

16:33 20 MS. HARRISON: I understand. But if they're going  
21 to accuse us --

22 THE COURT: But they're witnesses in a foreign  
23 country in jail with a bunch of crazy people surrounding  
24 them; so, we appointed them a lawyer. But the government is  
16:33 25 not after them. It's going to leave them alone. If they

1 confess to the Brink's job in 1958 he's going to say, 'God  
2 bless you. Have a good trip home.' Get it done.

3 MS. HARRISON: Okay. If they just ask factual  
4 questions and they don't come up with all that, you know,  
16:33 5 'Are you lying because you said this to the investigator and  
6 now you're saying this?' -- I mean, that's just wasting a  
7 lot of time.

8 THE COURT: It is. And I hope they don't, because  
9 one of us will adjust the equities later.

16:33 10 MS. HARRISON: Okay.

11 THE COURT: They're witnesses. And one thing you  
12 should do is be nice to witnesses, even when they're against  
13 you, because saying you're a layer, if anything, makes them  
14 less susceptible to be cooperative even when it would help  
16:34 15 you. Even he knows that.

16 MS. HARRISON: Thank you.

17 THE COURT: We'll see you Wednesday?

18 MR. PEREZ: Wednesday morning, yes, Your Honor.  
19 Thank you, Your Honor.

20 THE COURT: Yes, sir.

21 COURT REPORTER'S CERTIFICATE

22 I, BRUCE SLAVIN, certify that the foregoing is a  
23 correct transcript from the record of proceedings in the  
above-entitled matter, to the best of my ability.

24 s/Bruce Slavin  
25 BRUCE SLAVIN, RPR, CM